

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed November 29, 2007. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(b)

Claims 21-22 and 37-42 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Applicant Admitted Prior Art* (Figs. 2-4).

a. Claim 21

As provided in independent claim 21, Applicants claim:

An appliance for monitoring equipment comprising:
a data port for receiving data from said equipment;
a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment;
a memory for storing said software components; and
a processor for executing said software components in accordance with said configuration data.

Applicants respectfully submit that independent claim 21 is allowable over the cited art. It is stated in the Office Action that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for

receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment; a memory for storing said software components; and a processor for executing said software components in accordance with said configuration data.” With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions.** FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest “a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment;

a memory for storing said software components; and a processor for executing said software components in accordance with said configuration data,” as recited in claim 21.

As a result, independent claim 21 is allowable over the cited art, and the rejection of claim 21 should be withdrawn.

b. Claim 22

As provided in independent claim 22, Applicants claim:

An appliance for monitoring one or more office equipment devices comprising:

- a data port for receiving data from an equipment device;
- software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service;

- a communication module for receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment, wherein said software components comprise at least software with instructions for monitoring a different appliance;

- a memory for storing said software; and

- a processor for executing said software in accordance with said configuration data.

Applicants respectfully submit that independent claim 22 is allowable over the cited art. It is stated in the Office Action that Figs. 2-4 of Applicants’ disclosure disclose the claimed subject matter. Applicant respectfully disagrees.

For example, the claimed subject matter recites “software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service; a communication module for

receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment, wherein said software components comprise at least software with instructions for monitoring a different appliance; a memory for storing said software; and a processor for executing said software in accordance with said configuration data.” With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions.** FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest “software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an

optional service; a communication module for receiving a set of configuration data adapted to enable or disable said software components so that the appliance is retasked remotely to monitor a different piece of equipment, wherein said software components comprise at least software with instructions for monitoring a different appliance; a memory for storing said software; and a processor for executing said software in accordance with said configuration data," as recited in claim 22.

As a result, independent claim 23 is allowable over the cited art, and the rejection of claim 22 should be withdrawn.

c. Claim 37

As provided in independent claim 37, Applicants claim:

A system for monitoring office equipment comprising:
one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:
a data port for receiving data from said equipment;
appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance;
a first communication module for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment;
a first memory for storing said appliance software; and
a first processor for executing said software in accordance with said configuration data; and
a central server including:
server software for controlling the communication of data to and from said monitoring appliances;
a first database of configuration data for said monitoring appliances;

a second memory for storing said server software and said first database;
a second processor for executing said server software; and
a second communication module for transmitting said configuration.

Applicants respectfully submit that independent claim 37 is allowable over the cited art. The Office Action contends that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including: . . . appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance; a first communication module for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment; . . . a first processor for executing said software in accordance with said configuration data." With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the**

printer monitoring appliance's functions. FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest “one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including: . . . appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance; a first communication module for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment; . . . a first processor for executing said software in accordance with said configuration data,” as recited in claim 37.

As a result, independent claim 37 is allowable over the cited art, and the rejection of claim 37 should be withdrawn.

h. Claims 38-41

Dependent claims 38-41 (which depend from independent claim 37) are allowable as a matter of law for at least the reason that dependent claims 38-41 contain all the features of allowable independent claim 37. For at least this reason, the rejections of claims 38-41 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 38-41, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

d. Claim 42

As provided in independent claim 42, Applicants claim:

A system for monitoring office equipment comprising:
one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:
a data port for receiving data from said equipment;
a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment;
a first memory for storing said software components; and
a first processor for executing said software components in accordance with said configuration data; and
a central server including:
server software for controlling the communication of data to and from said monitoring appliances;
a first database of configuration data for said monitoring appliances;
a second database of software components for said monitoring appliances;

a second memory for storing said server software and said first and second databases;
a second processor for executing said server software; and
a second communication module for transmitting said configuration data and said software components to said monitoring appliances.

Applicants respectfully submit that independent claim 37 is allowable over the cited art. The Office Action contends that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment; . . . [and] a first processor for executing said software components in accordance with said configuration data." With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions.** FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest “a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components so that a monitoring appliance is retasked remotely to monitor a different piece of equipment; . . . [and] a first processor for executing said software components in accordance with said configuration data,” as recited in claim 42.

As a result, independent claim 42 is allowable over the cited art, and the rejection of claim 42 should be withdrawn.

II. Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-7, 9-12, 14-20, 23-28, 30-32, 34-36, and 42-46 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Applicant Admitted Prior Art* (Figs. 2-4) in view of *In re Boesch*, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

a. **Claim 1**

As provided in independent claim 1, Applicants claim:

An appliance for monitoring equipment comprising:
first means for receiving data from said equipment;
second means for receiving a set of configuration data,
wherein said second means includes a communication module;
and
third means for processing said equipment data in
accordance with a plurality of optional services, wherein said
configuration data is adapted to enable or disable said optional
services so that the appliance is retasked remotely to monitor a
different piece of equipment, wherein said appliance is adapted to
restart upon receiving a restart signal from said communication
module.

Applicants respectfully submit that independent claim 1 is allowable over the cited art. It is stated in the Office Action that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "first means for receiving data from said equipment; second means for receiving a set of configuration data, wherein said second means includes a communication module; and third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services so that the appliance is retasked remotely to monitor a different piece of equipment, wherein said appliance is adapted to restart upon receiving a restart signal from said communication module." With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data

port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions. FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).**

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest at least “third means for processing said equipment data in accordance with a plurality of optional services so that the appliance is retasked remotely to monitor a different piece of equipment, wherein said configuration data is adapted to enable or disable said optional services, wherein said appliance is adapted to restart upon receiving a restart signal from said communication module,” as recited in claim 1.

For the aforementioned reasons, the rejection of claim 1 should be withdrawn.

Further, Applicants submit that *In re Boesch* is generally cited for the rule that discovery of an optimum value of a variable in a known process is usually obvious. Therefore, its applicability with respect to the present claimed subject matter is questionable since the claimed subject matter does not involve a value

of a variable being determined or discovered. For at least this additional reason, the rejection of claim 1 should be withdrawn.

b. Claims 2-7, 9-12, and 14-20

Dependent claims 2-7, 9-12, and 14-20 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-7, 9-12, and 14-20 contain all the features of allowable independent claim 1. For at least this reason, the rejections of claims 2-7, 9-12, and 14-20 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2-7, 9-12, and 14-20, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

c. Claim 23

As provided in independent claim 23, Applicants claim:

A system for monitoring equipment comprising:
one or more monitoring appliances adapted to monitor said equipment, each monitoring appliance including:
first means for receiving data from said equipment;
second means for receiving a set of configuration data; and
third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services so that a monitoring appliance is retasked remotely to monitor a different piece of equipment, wherein said third means includes:
software for processing said equipment data, said software including one or more software components, each software

component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data;

a memory for storing said software; and

a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components; and

fourth means for transmitting said configuration data to said monitoring appliances.

Applicants respectfully submit that independent claim 23 is allowable over the cited art. The Office Action contends that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "one or more monitoring appliances adapted to monitor said equipment, each monitoring appliance including: first means for receiving data from said equipment; second means for receiving a set of configuration data; and third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services so that a monitoring appliance is retasked remotely to monitor a different piece of equipment, wherein said third means includes: software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data; a memory for storing said software; and a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components; and fourth means for

transmitting said configuration data to said monitoring appliances.” With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions.** FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest at least “third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services so that a monitoring appliance is retasked remotely to monitor a different piece of equipment, wherein said third means includes: software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and

storing said configuration data . . . and a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components,” as recited in claim 23.

For the aforementioned reasons, the rejection of claim 23 should be withdrawn.

Further, Applicants submit that *In re Boesch* is generally cited for the rule that discovery of an optimum value of a variable in a known process is usually obvious. Therefore, its applicability with respect to the present claimed subject matter is questionable since the claimed subject matter does not involve a value of a variable being determined or discovered. For at least this additional reason, the rejection of claim 23 should be withdrawn.

c. Claims 24-28, 30-32, and 34-36

Dependent claims 24-28, 30-32, and 34-36 (which depend from independent claim 23) are allowable as a matter of law for at least the reason that dependent claims 24-28, 30-32, and 34-36 contain all the features of allowable independent claim 23. For at least this reason, the rejections of claims 24-28, 30-32, and 34-36 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 24-28, 30-32, and 34-36, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

d. **Claim 43**

As provided in independent claim 43, Applicants claim:

A method for remotely configuring a monitoring appliance for monitoring equipment including the steps of:

storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance;

storing, in a central server, configuration data that determines which software components are enabled or disabled;

downloading said configuration data from said central server to said monitoring appliance; and

restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data so that the monitoring appliance is retasked remotely to monitor a different piece of equipment.

Applicants respectfully submit that independent claim 43 is allowable over the cited art. The Office Action contends that Figs. 2-4 of Applicants' disclosure disclose the claimed subject matter. Applicants respectfully disagree.

For example, the claimed subject matter recites "storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance; storing, in a central server, configuration data that determines which software components are enabled or disabled; downloading said configuration data from said central server to said monitoring appliance; and restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data so that the monitoring appliance is retasked remotely to monitor a different piece of equipment." With regard to Figs. 2-4, the present application states:

FIG. 2 is a block diagram of a prior art monitoring appliance 30. The monitoring appliance 30 includes a processor 32 and memory 34, running software 36 for a particular service. Data from the devices being monitored is input through a data port 38, processed by the software 36, and transmitted to the backoffice by a communication module 40. As discussed above, prior art monitoring appliances are limited to providing a single service. (Each service may require multiple tasks.) In the example of FIG. 1, **if the printer monitoring appliance 16 breaks or is overloaded, the print server monitoring appliance 18 cannot be remotely retasked to perform the printer monitoring appliance's functions.** FIG. 3 is a flow chart of the prior art retasking process. In order to retask an appliance, an installer must travel to the customer site and manually reconfigure the appliance (Step 42). The appliance can then reboot with the new tasks enabled (Step 44).

Page 4, lines 16-27 (Emphasis added). The present application further explains “[u]sing the prior art software upgrading system, software for new functions could be uploaded to a monitoring appliance, but there was no way to remotely instruct the appliance to execute the new functions in the new software, i.e. retasking.”

Accordingly, the prior art systems described in Figs. 2-4 of the present disclosure fail to teach or suggest at least “storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance; storing, in a central server, configuration data that determines which software components are enabled or disabled; downloading said configuration data from said central server to said monitoring appliance; and restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data so that the monitoring appliance is retasked remotely to monitor a different piece of equipment,” as recited in claim 43.

For the aforementioned reasons, the rejection of claim 43 should be withdrawn.

Further, Applicants submit that *In re Boesch* is generally cited for the rule that discovery of an optimum value of a variable in a known process is usually obvious. Therefore, its applicability with respect to the present claimed subject matter is questionable since the claimed subject matter does not involve a value of a variable being determined or discovered. For at least this additional reason, the rejection of claim 43 should be withdrawn.

e. Claims 44-46


Dependent claims 44-46 (which depend from independent claim 43) are allowable as a matter of law for at least the reason that dependent claims 44-46 contain all the features of allowable independent claim 43. For at least this reason, the rejections of claims 44-46 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 44-46, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

CONCLUSION

Applicants respectfully submit that Applicants' pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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